

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY  
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DATE FILED: 01/31/2022**

FRESH BREAD DELIVERY, LLC,  
SANDRA BELL, and OSCAR TURNER,

Plaintiffs,

v.

GOLD MEDAL BAKERY ROUTE  
DISTRIBUTION, LLC,

Defendant.

19-CV-514 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On April 4, 2019, on the consent of the parties, the Court granted Defendant's motion to compel arbitration and stayed the case pending resolution of the arbitration. *See* Dkt. 10. After not receiving an update from the parties for some time, on October 12, 2021, the Court requested a joint letter updating the Court on the status of the case. *See* Dkt. 12. Counsel for both parties submitted a status letter, explaining that Plaintiff Fresh Bread Delivery, LLC had initially filed a complaint with the American Arbitration Association ("AAA") on April 16, 2019. *See* Dkt. 26. There was an apparent deficiency in the complaint, which the AAA requested that Fresh Bread cure. Fresh Bread failed to cure the deficiency, and the AAA administratively closed the case on May 28, 2019 with the option for Fresh Bread to resubmit the matter. To date, the case has not been resubmitted to the AAA.

It has been reported to the Court that, since that time, Plaintiffs' counsel has been "unable to reach his clients despite repeated attempts." Dkt. 26. No later than February 14, 2022, Plaintiffs shall file a letter with the Court updating it as to whether they intend to resubmit this

case to arbitration. If Plaintiffs fail to do so, the Court may dismiss this action without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: January 31, 2022  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

Ronnie Abrams  
United States District Judge